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DANN DORFMAN HERRELL AND SKILLMAN
A Professional Corporation
Suite 2400
1601 Market Street
Philadelphia, PA 19103-2307
U.S.A.

TELEPHONE
(215) 563-4100

TRANSMISSION FROM FACSIMILE NO. (215) 563-4044

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DATE: March 24, 2004
TO: ROXANNE RAWLS -- Facsimile No. (703) 305-7749
FROM: Henry H. Skillman, Reg. No. 17,352
RE: US Pat. Appl. No. 10/615,704 (Scott)

NO. OF SHEETS INCLUDING COVER: 14

Dear Roxanne,

Pursuant to our phone discussion this afternoon, I am transmitting herewith a Petition under 37
1.47 Requesting Acceptance of an Application without the Declaration of one of the four named inventors.

Please process this. Please note that Exhibit A consists of 11 pages.

Thank you again for your help

Joan Rodgers
Assistant to Henry H. Skillman, Attorney of Record

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No. 9733

SCOTT, Wesley et al

Art Unit: 3725

Appl. No. 10/615,704


Atty Docket: 2189-P03242US00

Filed: 07/09/03

ATTN: ROXANNE RAWLSFor: **SYSTEM AND METHOD FOR
BENDING STRIP MATERIAL TO
CREATE CUTTING DIES****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this Correspondence is being transmitted on MARCH 3, 2004 by facsimile to
(703) 306-7749 addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

MARCH 3, 2004
Date


Henry H. Skillman
Reg. No. 17,352

**Petition under 37 CFR §1.47 Requesting acceptance of an application without
the Declaration of one of the four named inventors**

The undersigned attorney hereby petitions that the above-identified patent application be accepted without the declaration of Michael Burtch.

1. Michael Burtch, along with three other inventors are co-inventors of the subject matter described and claimed in an application for Letters Patent, Serial No. 10/615,704 filed in the United States Patent and Trademark Office on July 9, 2003 for an invention entitled: "System and Method for Bending Strip Material to Create Cutting Dies"

2. At the time of filing of the above-identified application, Michael Burtch had left the employ of applicants' employer, and was not available to execute the application.

3. Applicants' Canadian Legal Counsel, Christopher Geffros, made every effort to contact Michael Burtch, as evidenced by the Statement of Facts, attached hereto as Exhibit A, but was unable to contact Mr. Burtch.

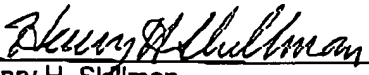
Appl. No. 10/615,704
Filed: 07/09/2003

Docket No: 2189-P03242US00

4. It is therefore requested that this Petition be granted, and that the application proceed to examination without the declaration of Michael Burtch. It is requested that the Petition fee in the amount of \$130, and any extension fee which may be required, be charged to the Deposit Account of Dann Dorfman Herrell and Skillman No. 04-1406.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

March 3, 2004


Henry H. Skillman
Reg. No. 17,352

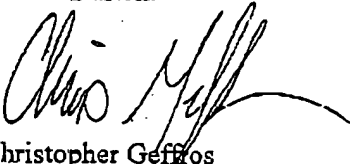
Telephone: (215) 563-4100
Facsimile: (215) 563-4044
e-mail: hskillman@ddhs.com

Enc:

Statement of Facts

I, Christopher Lee Geffros, Legal Counsel for 150099 Ontario Inc, and duly authorized to act on its behalf, represent the following.

1. I have firsthand knowledge regarding the facts stated below.
2. Michael Burtch was a former employee of 150099 Ontario Inc, located at 235 Gage Avenue, Kitchener, Ontario, Canada N2M 2C9.
3. Michael Burtch is a co-inventor of the "System and Method for Bending Strip Material to Create Cutting Dies" subject to United States Patent Application No. 10/615,704.
4. Michael Burtch is no longer an employee of 150099 Ontario Inc.
5. The last known address for Michael Burtch was 112 Margaret Avenue, Kitchener, Ontario, Canada N2H 4H6.
6. Michael Burtch had signed during his employment an Agreement assigning his rights to inventions made during his employment with 150099 Ontario Inc. (See attached).
7. At the time of filing United States Application No. 10/615,704, attempts were made to contact Michael Burtch at his last known address. These attempts were unsuccessful.
8. Recently, searches were made via the Internet to locate Mr. Michael Burtch including Canadian information sites such as www.infospace.ca and www.Canada411.com. (See attached),
9. The results of the Internet searches were either the Margaret Avenue address or an address in Sault Saint Marie.
10. Attempts to contact Michael Burtch at both the Sault Saint Marie and Kitchener, Ontario telephone numbers were unsuccessful.
11. On February 10, 2004 a letter was sent via Registered Mail to Michael Burtch at his last known address at 112 Margaret Avenue, Kitchener, Ontario, Canada N2H 4H6 (see attached letter).
12. On February 12, 2004 the Canadian Postal Service returned the letter as undelivered. The reason given that the address had "Moved, Address unknown." (See attached copies of envelope).
13. At this time there is no further information regarding the whereabouts of Michael Burtch.


Christopher Geffros
Legal Counsel

DEC-15-2003 13:55 FROM ONTARIO DIE INTERNATIONAL TO ODCOA REAR

P.02

October 30, 2001

I, Mike Burtch have been involved for over a year in a research project supported by Ontario Die International. This work is related to the development of an automated bending machine based on novel principles. Steps have been taken to apply for a patent. I am doing experimental and theoretical work designed to help with the implementation of the new principles according to best engineering practice. This is to certify that I do not claim ownership of any intellectual property related to this project for my past contributions or for results obtained in future work.

Signed

Date

Mike Burtch
Mike Burtch

2001-10-30

Witness

Date

Witness

Date

Jana Davis

Oct 30/01

Appl. No. 10/615,704

3

EXHIBIT A

DEC-15-2003 13:55 FROM ONTARIO DIE INTERNATIONAL

Statement of Facts

TO ODCOA REAK

P.03

Ontario Die International Inc.
119 Roger St.
Waterloo, Ontario, Canada
N2J 3Z6

CONFIDENTIALITY AGREEMENT NON-DISCLOSURE FORM

Agreement made between Ontario Die International Inc. ("ODI"), located in Waterloo, Ontario, Canada and MIKE BURTCH employed by Ontario Die International.

Whereas, Ontario Die International and MIKE BURTCH intend to discuss matters related to new research and development projects of interest to Ontario Die International, **WHEREAS**, during the course of these dealings, it will be necessary for Ontario Die International to disclose to MIKE BURTCH certain technical items of information, which are confidential and proprietary to Ontario Die International.

THEREFORE, in consideration of the disclosure of these technologies, the parties agree as follows:

- 1.) MIKE BURTCH will not disclose to any third party any information concerning Ontario Die International's technologies without the prior written approval of Ontario Die International.
- 2.) MIKE BURTCH will not use any information provided by Ontario Die International concerning their proprietary technologies for its own benefit or the benefit of any third party without the prior written consent of Ontario Die International.
- 3.) MIKE BURTCH agrees to maintain any technological information in complete confidence for a period of five (5) years from the date of disclosure, whether communicated verbally or in writing.
- 4.) MIKE BURTCH agrees that any intellectual property, including patents, which may result from the work of MIKE BURTCH during the time of employment and for a period of five (5) years thereafter, will be the exclusive property of Ontario Die International.
- 5.) This agreement does not apply to information which is publicly known, lawfully available or which is reasonably proven to be known to MIKE BURTCH before being obtained from Ontario Die International.


Dated at WATERLOO ON on May 2 2000
(City) (Province) (Date)

MIKE BURTCH
Printed Employee's Name

Mike Burtch
Employee's Signature

Search Results - InfoSpace Canada

Page 1 of 2



SEARCH the web:

Last Name Last State

YOU ARE HERE > [Home](#) > [My InfoSpace](#) > [People Finder](#) > [Phone & Address Search](#) > Listings

Listings

Searching for: Michael Burtch ON Canada

Sponsors

Sorry, no matches were found.

[Add your listing](#) to the People Finder
Refine Your Search

Last Name
(required for Canada)

First Name/Initial

City

State/Province
(required for US and Canada)

☐ Including Surrounding Region (U.S. Only)

Country
(required)

Note: To search a country not listed above, see our list of [World Directories](#).

data by **ACORN**

People Search

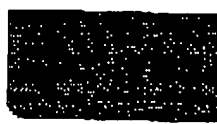
Easy Look-Up

First

Last

(Required)
Last Known State

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Page 1 of 2



SEARCH the web



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People Finder

Classifieds

Shop eBay!

People Search

Powered By PeopleData

First
Name

Mike

Last
Name

Burch

Last
State



YOU ARE HERE > [Home](#) > [My InfoSpace](#) > [People Finder](#) > [Phone & Address Search](#) > **Listings**

Listings

Searching for: Mike Burch ON Canada

Sorry, no matches were found.

> [Add your listing](#) to the People Finder
Refine Your Search

Last Name
(required for
Canada)

Burch

First
Name/Initial

Mike

City

State/Province
(required for US
and Canada)

Ontario

☐ Including Surrounding Region (U.S. Only)

Country
(required)

Canada



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data by **ACTION**

Sponsors

People Search Easy Look-Up

First

Mike

Last

Burch

(Required)

Last Known State



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SEARCH the web



Business Finder

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Shop eBay!

6

anada411 - Find A Person - Details

Canada411 > Find a Person > Details

Page 1 of 1

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Search the Web

Enter Keyword(s):

Go

Burtch, Mike
112 Margaret Ave
Kitchener, ON
N2H 4H6
(519) 578-0753

PREVIOUS ATTEMPTS
SHOWN AS DISCONNECTED

2-6-04 11:45 A.M.
NO ANSWER.

Step 1: Enter person's name

Hint: Use full or partial name. First name optional.

LAST:

FIRST:

Step 2: Enter person's location

Hint: Adding location will improve your search results

CITY/TOWN:
(optional)

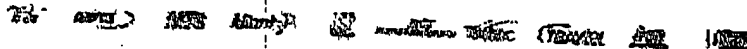
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Step 3:

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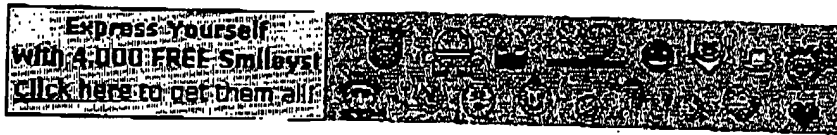
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ada411 - Find A Person - Details

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Burtch, Michael
27 Retta St
Sault Ste Marie, ON
P6A 4B7
(705) 942-6009

No Answer
2-6-09 11:40 a.m.

City Guides

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[OttawaPlus.ca](#)
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[Toronto.com](#)
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Enter Keyword(s):

[Go](#)

Step 1: Enter person's name

Hint: Use full or partial name. First name optional.

LAST:

FIRST:

Step 2: Enter person's location

Hint: Adding location will improve your search results.

CITY/TOWN: (optional) PROVINCE:

Step 3:

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Michael Burtch Public Records Search!

Search Information:

Searched terms: "Burtch, Michael, Canada"
Result

[New search](#) | [Modify search](#) | [Printer-Friendly](#)
Search took 0.14 seconds



Burtch, Michael

» 1 / 1

17 Retta

Sault Sainte Marie, ON P6A 4B7

(705) 942-6009

[More Info for Michael Burtch](#)[E-mail to Friends](#)[Map / Search Near](#)[More Info on Michael Burtch - Public Records Search](#)[Did you go to school with Michael Burtch?](#)[Michael Burtch 20 Year Address History - Click Here](#)[Add to Address Book](#)[Save to Outlook®](#)

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Canada United States Mexico Czech Republic China

Ontario Die International (USA) Inc
2735 20th Street
Port Huron, Michigan
48060 USA

T [810] 987-5060
F [810] 987-3688

F clgeffros@ontariodie.com

Ontario Die International Inc.
235 Gage Avenue
Kitchener, Ontario
N2M 2C9 Canada

T [519] 746-1002
F [519] 745-0051

February 6, 2004

Michael Burtch
112 Margaret Avenue
Kitchener, Ontario N2H 4H6

CERTIFIED MAIL

RE: Patent Application Inventorship

Dear Mr. Burtch:

During your employment with Ontario Die International in Kitchener you worked on a machine with an application of bending strip material. As I am sure you are aware from agreements you signed as well as conversations during your employment, it was and is our intention to apply for Patent protection in various international countries.

As a part of this process we need you to assign your patent rights as agreed to during your employment. I have enclosed a copy of the agreement that you signed for your benefit.

We have made several attempts to contact you at your last known telephone number but have been advised that it has been disconnected. We would greatly appreciate it if you could contact me at 810-987-5060 to discuss how we may get the assignment documents to you for your signature.

Thank you in advance for your assistance. I look forward to hearing from you in the near future.

Regards,

Christopher Geffros
Legal Counsel

Enc.

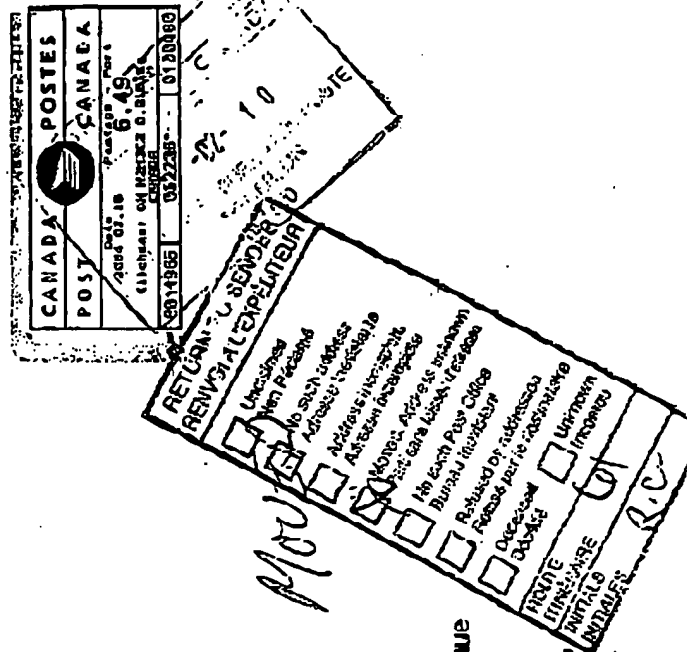
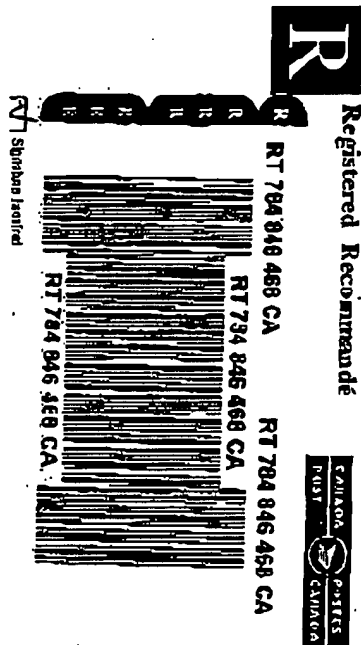
pp1. No. 10/615,704

10

EXHIBIT A
Statement of Facts

FEB-12-2004 14:04 FROM ONTARIO DIE INTERNATIONAL

10 DULOH REAR P.02



~~Michael Burtch
112 Margaret Avenue
KITCHENER, On
N2H 4H6~~

"REGISTERED MAIL."

Flip Over

Retournez l'emballage



Ontario Die International

**Ontario Die
International Inc.**
295 Gage Avenue
Kitchener, Ontario
N2M 2C9 Canada

**Ontario Die
Company of America**
2735 20th Street, Box 610357
Port Huron, Michigan
48061-0357 USA

**Ontario Die
International Inc.**
295 Gage Avenue
Kitchener, Ontario
N2M 2C9 Canada

**Ontario Die
Company Inc.**
2735 23rd Street
Port Huron, MI
48061-0357

EXHIBIT A
Statement of Facts

P.03

R	Registered	Recommandé	CANADA POST	POSTES
	Domestic	Régime Intérieur	HOT	CANADA
To	Destination	FOR DELIVERY CONFIRMATION		
Name	Num	POUR CONFIRMER LA LIVRAISON		
<i>Michael Bieck</i>		1 888 550-6333		
Address	Address	www.canadapost.ca		
		www.postescanada.ca		
City	Ville	Province	Postal Code	Code postal
		Declare value Value Declared \$		
		Item No.	No. de Parcels	
CUSTOMER RECEIPT		78 784 816 468		

FRONT OF
RECEIPT



Ontario Die International

Ontario Die International Inc. 235 Sags Avenue Kitchener, Ontario N2M 2C9 Canada	Ontario Die Company of America 2735 20 th Street, Box 610397 P.O. Huron, Michigan 48061-0397 USA
--	---

**Contero Die
Company of America
2735 26th Street, Box 616397
P.O. Huron, Michigan
48061-0397 USA.**

**Flip
Over**



**Retournez
l'emballage**

Michael Burton
112 Margaret Avenue
KITCHENER, On
N2H 4N6.

[illegible]

BACK OF RECEIPT

[illegible]

Applicable law

TOTAL P. 03.

02/12/04 THU 14:54 [TX/RX NO 6336]